



University of Baltimore Law Forum

Volume 26
Number 2 *Spring 1996*

Article 1

1996

University of Baltimore Law Forum Volume 26 Number 2 (Spring 1996) Front Matter

Follow this and additional works at: <http://scholarworks.law.ubalt.edu/lf>



Part of the [Law Commons](#)

Recommended Citation

(1996) "University of Baltimore Law Forum Volume 26 Number 2 (Spring 1996) Front Matter," *University of Baltimore Law Forum*: Vol. 26: No. 2, Article 1.

Available at: <http://scholarworks.law.ubalt.edu/lf/vol26/iss2/1>

This Article is brought to you for free and open access by ScholarWorks@University of Baltimore School of Law. It has been accepted for inclusion in University of Baltimore Law Forum by an authorized administrator of ScholarWorks@University of Baltimore School of Law. For more information, please contact snolan@ubalt.edu.



THE LAW FORUM

University of Baltimore School of Law

Departments

Dean's Forum	1
Letter From The Editor-In-Chief	2

Articles

The Maryland Commission on Judicial Disabilities: Whither Thou Goest? By Judge Glenn T. Harrell, Jr.	3
<i>Wilson v. Arkansas</i> : The "Knock & Announce" Renaissance By Philip S. Jackson	16
Inadequate Training in the Use of Non-Deadly Force as the Next Frontier in Federal Civil Liability: Analysis of the Baltimore City Baton Program By Brian L. DeLeonardo	23

Commentary

A Law Professor's View From the Jury Box By Professor Stephen Shapiro	41
--	----

Recent Developments

<i>Adarand Constructors, Inc. v. Pena</i>	47
<i>Thomas v. Commissioner</i>	50
<i>Reno v. Koray</i>	52
<i>Greentree v. Fertitta</i>	55
<i>Ideal Fed. Sav. Bank v. Murphy</i>	58
<i>Vernonia School Dist. 47J v. Acton</i>	61
<i>Attorney Grievance Comm'n of Maryland v. Kenney</i>	64
<i>Falcinelli v. Cardascia</i>	66
<i>Rosenberger v. Rector and Visitors of the University of Virginia</i>	69
<i>Montgomery Ward v. Wilson</i>	72

Forum Faces

William Donald Shaefer	75
------------------------------	----

Serving The Maryland Legal Community For Over 25 Years

**VOLUME 26,
ISSUE No. 2**

SENIOR EDITORS:

David A. Prichard
Editor-In-Chief

Andrea S. Holz
Managing Editor

Michael Campbell
Manuscripts Editor

Paul N. St. Hillaire
Production Editor

Christopher R. Rahl
Articles Editor

Dorothy M. Guy
Assistant Articles Editor

Garret P. Glennon, Jr.
Recent Developments Editor

Karen Tossey-Ardis
Assistant R.D. Editor

Kristin Heller Woolam
Business Editor

STAFF EDITORS:

Nicole L. Baines

Kevin M. Barner

Kevin Barth

Rosemary Bourne

Robyn Scheina Brown

Paul J. Cucuzzella

Terrence J. Daly

Sean Daugherty

Julie Furst

Peter A. Greenbaum

Michele L. Katz

Pinelopi Makrodimitris

Cynthia L. Maskol

Mark L. Miller

William L. Mitchell II

Margaret Oliver

Orhan K. Omer

Francis A. Pommert III

Victoria Rife Shearer

Mark L. Renbaum

Carole N. Roche'

Gabriel A. Terrasa

Lori P. Tyrrell

Paul J. Wilson

Nicole M. Zell

**UNIVERSITY OF BALTIMORE SCHOOL OF LAW
ADMINISTRATION:**

H. Mebane Turner
President of the University

Ronald P. Legon
Provost of the University

John A. Sebert
Dean of the School of Law

Eric C. Schneider
Associate Dean for Academic Affairs

Beverly Falcon
Associate Dean for Admissions

Karen Rae Hammer
Assistant Dean for Career Services

Tony W. Torain
Assistant Dean for Student Affairs

Emily R. Greenberg
Director of the Law Library

Martin A. Geer
Director of Clinical Programs

Walter D. Schwidetzky
Director of the Tax Program

**THE UNIVERSITY OF BALTIMORE
LAW FORUM**

**IS SEEKING PROFESSIONAL ARTICLES
OF INTEREST TO THE MARYLAND LEGAL COMMUNITY**

*Torts Contracts Criminal Law Civil & Criminal Procedure
Professional Ethics Evidence Property*

LEGAL RESEARCH ASSISTANCE
is available to prospective authors upon request

FOR MORE INFORMATION CONTACT:
The University of Baltimore Law Forum
Room 200

The John and Frances Angelos Law Center
1420 North Charles Street
Baltimore, Maryland 21201
(410) 837-4493

DEAN'S FORUM

Every seven years, law schools in the United States are re-evaluated by their accrediting agencies. In our case, two such agencies are involved. The School of Law has been on the "Approved List" of the American Bar Association since 1972, and we have been members of the Association of American Law Schools since 1988. Next fall, we are scheduled to have our sabbatical site evaluation by those two organizations.

The sabbatical site evaluation is an important opportunity for the school in at least two respects. First, we will be able to demonstrate to our two national organizations the significant progress that the school has made on many fronts since the last site evaluation in 1990. Some of the important improvements include:

- * the opening of the outstanding new facility for our Legal Clinics at Maryland and Chase Streets;
- * the adoption by the faculty last spring of an innovative new upper-class curriculum, including the designation of twelve Areas of Concentration;
- * the founding last year of our Center for International and Comparative Law;
- * the retention of our excellent faculty, and the addition of a number of fine new teachers and scholars to the faculty;
- * major infrastructure improvements, particularly through addition of significant new computer capability in the Law Library; and
- * a significant expansion of our student services, particularly in the Career Services Center and through the establishment of the position of Assistant Dean for Student Affairs.

This fall's site evaluation also provides us the important opportunity to take stock of where we are, to examine critically the areas of our efforts that need further improvement, and to plan thoughtfully the directions that the school should take in order to provide the best possible legal education for our students. Leading us in this evaluation and planning effort is a Self-Study Committee chaired by Professor Michael Meyerson. Other members of the Committee are Professors Jose Anderson, Jack Lynch, Jane Murphy and Elizabeth Samuels, Associate Dean Eric Schneider, and Law Library Director Emily Greenberg.

The Self-Study Committee is working hard on preparing an extensive Self-Study Report that will review all aspects of the school's operations and identify directions for the future. That Report will be finalized by the end of this semester or early in the summer, and it will provide the information that will be the foundation for a three-day visit to the school next fall by a five or six person site evaluation team appointed by the ABA and the AALS.

During that site evaluation visit, which probably will occur in October 1996, the team will meet with faculty, students, alumni and University administrators. In the process of those meetings, we undoubtedly will receive much useful advice, for the members of site evaluation teams are selected from among the best law teachers, deans, judges and practitioners in the country. (I, for example, have chaired one site evaluation team for the ABA and AALS each of the past three years.)

The periodic site evaluation is an important part of the accreditation process, and it is a very useful opportunity for a law school. I am sure that the process will go well for us, and I believe it will provide the impetus for us to plan carefully how we wish to build on the progress that we have made to date.

John A. Sebert
Dean and Professor of Law

LETTER FROM THE EDITOR-IN-CHIEF

Issue 26.2 represents an extraordinary effort on behalf of the editorial staff to overcome a myriad of challenges, including the difficulties encountered with the Purchasing Department and our new printers. The purchasing contretemps was resolved with the selection of our new printing company, Western Newspaper Publishing Company. After working through the significant changes that flow from the transition to a new printer, I am now hopeful that we have forged a solid working relationship.

These and other challenges demand both an apology and a commendation. I extend an apology to authors of the included articles for the resultant delay in publication. The praise is extended to Nikhil Divecha, Director of Finance and Administration. Robert Schulte, my esteemed predecessor, recognized Nik last year for his unwavering support of the journal. I am convinced that without Nik's insight and ability to anticipate problems, the *Law Forum* would never have been published this year.

Issue 26.2 includes articles representing a wide spectrum of experience, including a Judge, an Assistant United States Attorney, a student, and a professor. In the first article, Judge Glenn T. Harrell, Jr. of the Court of Special Appeals of Maryland conducts a thorough examination of Maryland's Commission on Judicial Disabilities. Next, Assistant United States Attorney and University of Baltimore graduate Philip S. Jackson traces the history of the Knock and Announce Rule and predicts the future effects of the recent decision of *Wilson v. Arkansas*. Student Brian DeLeonardo provides a thoughtful evaluation in his article entitled, *Inadequate Training in the use of Non-Deadly Force as the Next Frontier in Federal Civil Liability: Analysis of the Baltimore City Baton Program*. Finally, Professor Stephen Shapiro comments on his recent experiences as a juror in a criminal case in Baltimore City. As always, the Recent Developments section continues to provide a timely synopsis of important decisions impacting Maryland law.

In keeping pace with the rapid developments in computer technology and the mass availability of on-line information, the *Law Forum* proudly announces our new web site. Special thanks are extended to Gabriel Terrasa for his efforts in establishing our home page. We welcome you to access our internet address at <http://ubmail.ubalt.edu/~ubforum/>.

David A. Prichard